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MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

NOTIFICATIONS

New Delhi, the 22nd April 1959

G.S.R. 510.—In exercise of the powers conferred by section 22 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958), the Central Government hereby makes the following rules; the same having been previously published as required by sub-section (1) of the said section 22, namely:—

THE RICE-MILLING INDUSTRY (REGULATION AND LICENSING) RULES, 1959

1. **Short Title and Commencement.**—(1) These rules may be called the Rice-Milling Industry (Regulation and Licensing) Rules, 1959.

(2) They shall come into force at once.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (a) "Act" means the Rice-Milling Industry (Regulation) Act, 1958;
- (b) "Form" means a Form set forth in the Schedule to these rules;
- (c) "licence" means a licence granted under section 6 of the Act;
- (d) "permit" means a permit granted under section 5 of the Act.

3. **Permits.**—(1) Every application for a permit shall be in Form I.

(2) The investigation referred to in sub-section (4) of section 5 of the Act shall be made with a view to ascertaining whether the grant of the permit is necessary for ensuring an adequate supply of rice and shall, in addition to the matters specified in clauses (a) to (e) of that sub-section, relate to the ascertainment of information regarding,—

- (a) the effect that the operation of the new or the defunct rice-mill may have on the local economy;
- (b) the pattern of trade and commerce in rice in the locality;
- (c) the reasons for the stoppage of operation in the case of a defunct rice-mill;
- (d) the necessity or otherwise for an addition to the productive capacity of the existing rice-mills in the locality;
- (e) whether hand-pounding industry in the locality is already well organized and whether the establishment of a new rice-mill is likely to affect adversely that industry.

(3) In granting a permit for the establishment of a new rice-mill preference shall be given to the sheller-type mill.

(4) A permit granted under section 5 of the Act shall be in Form II.

(5) Every person to whom a permit has been granted shall—

- (a) if it is for the establishment of a new rice-mill, establish the same within six months, or
- (b) if it is for recommencing rice-milling operation in a defunct rice mill, recommence such operation within three months,

from the date of grant of the permit or within such further period as the authority granting the permit may allow

4. **Licences.**—(1) An application for a licence may be made—

- (a) by the owner of a new rice-mill who has obtained a permit under section 5 of the Act, after he has established the mill within the prescribed period,
- (b) by the owner of a defunct rice-mill, after he has been granted a permit for recommencing milling operation, and
- (c) by the owner of an existing rice-mill, within such period after the commencement of the Act as may be specified in the order under the proviso to subsection (2) of section 8 of the Act

(2) Every application for a licence shall be in Form III and shall be accompanied by the treasury receipt evidencing payment of the prescribed fee

(3) The fee payable for a licence shall be Rs 5 and that for the renewal of a licence shall be Rs. 2.

(4) Every licence granted under section 6 of the Act shall be in Form IV, shall be subject to the conditions specified therein and shall be valid for such period not exceeding one year as may be specified therein and may be renewed for periods not exceeding one year at a time.

5. **Duplicate Licence.**—If the licensing officer is satisfied that a licence is defaced, lost, destroyed or otherwise rendered useless, he may, on payment of a fee of Rs 10, issue a duplicate licence.

6. **Deposit of security.**—(1) Every licensee shall, before the licence is granted, deposit security of the value of Rs 200 if the rice-mill is of the huller type or Rs 500 if it is of any other type for the due performance of the conditions, subject to which the licence is granted to him.

(2) The security referred to in sub-rule (1) may be in any of the following forms, namely:—

- (a) Demand Draft on the State Bank endorsed in favour of the licensing officer,
- (b) Deposit-at-call-receipt of the State Bank endorsed in favour of the licensing officer,
- (c) Government securities at 5% below market price or at face value, whichever is less, endorsed in favour of the licensing officer,
- (d) National Savings Certificates and Treasury Receipts endorsed in favour of the licensing officer,
- (e) Post Office Savings Bank Pass Book, the account being pledged to the licensing officer;
- (f) Cash deposit into government treasury under head "revenue deposits".

7 **Polishing of rice.**—(1) It shall be a condition of every licence that the licensee shall not remove more than 5 per cent or less than 3 per cent of bran

(2) Notwithstanding the provision in sub-rule (1), the licensing officer may, by written order, permit the removal of more than five per cent or less than three per cent of bran in the case of—

- (a) rice milled for the purpose of export from India, or
- (b) rice milled for use for particular purposes or by particular class of persons

8 **Stay orders on appeal.**—The appellate officer before whom an appeal against a decision of the licensing officer refusing to renew a license under section 6, or revoking, suspending or cancelling a licence under section 7, of the Act is pending may, by order, direct that such decision shall not take effect pending the disposal of the appeal

9. **Accounts and returns.**—(1) Every licensee shall maintain correct and true accounts in respect of his rice mill in such form and manner as the licensing officer may specify.

(2) Every licensee shall submit to the licensing officer a return in Form V for every fortnight ending with the 15th day or as the case may be the last day of the month so as to reach the licensing officer within five days of the close of such fortnight.

10. **General.**—Every licensee shall be bound to—

- (a) furnish the licensing officer such information or statistics in relation to his mill as the licensing officer may require, and
- (b) give the licensing officer or any officer authorized under section 9 of the Act all facilities at all reasonable times to enter and inspect the rice-mill or the stocks of paddy and rice in his possession or custody and take samples thereof for examination and to inspect the accounts relating to his business.

11. **Penalty.**—A contravention of any of these rules shall be punishable under sub-section (2) of section 15 of the Act.

THE SCHEDULE

FORM I

[See rule 3(1)]

Form of application for permit

1. (a) Applicant's name and address.
(b) Nature of ownership.
2. (a) Place where the rice-mill is situated and name of mill, if any.
(for defunct rice-mill).
(b) Place where the rice-mill is to be established and name of mill, if any.
(for new rice-mill).
3. Postal address of the rice-mill.
4. Particulars of Prime Mover:—
 - (a) Make of Engine and whether run on oil, steam, etc.
 - (b) Details of electric motor if run on electric power.
 - (c) Brake-horsepower.
5. Details of milling machinery:—
 - (a) Type, whether huller, sheller or combined sheller-huller type.
 - (b) Diameter of the sheller grinding Stone.
 - (c) Number of sheller grinding stones (pairs).
 - (d) Make of the huller (giving the number and type).
 - (e) The number of hullers in each type.
6. Approximate milling capacity per diem (8 hours running).
7. Date up to which rice-mill was functioning (in case of defunct rice-mill).
8. Approximate date, from which rice-milling operation is expected to commence (in case of new rice-mill).

I/We request that I/we may be granted a permit for establishing a new rice-mill/ recommencing milling operation in my/our rice-mill under the provisions of section 5 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958) (hereinafter referred to as the Act).

I/We declare that I am/we are the owner(s) of the rice-mill covered by this application. I/We have carefully read the provisions of the Act and the rules made thereunder and I/we agree to abide by them.

Place

Date

Signature of applicant(s)

FORM II

[See rule 3 (4)]

Permit for establishing a new rice-mill/recommencing milling in a defunct rice-mill.

1. Subject to the provisions of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958) and the rules made thereunder permission is hereby granted to.....of..... to establish a new rice-mill/to recommence rice-milling in.....

1. Name of mill.
2. Where located.
3. Whether run on oil, petrol, electricity, etc.
4. Type, i.e. whether huller, sheller or combined huller-sheller type.
5. Diameter of sheller grinding stones and their number (pairs).
6. Make of the huller (giving number and type) together with number of hullers in each type.
7. Capacity.

This permit shall be valid upto The holder of this permit is authorized to establish a new rice-mill/recommence milling operation in the defunct rice-mill in accordance with the provisions of the Rice-Milling Industry (Regulation) Act, 1958, within the period ending.....

This permit shall be surrendered to the Government if it has expired or is no longer required by the holder.

Place

Date

Signature and designation

FORM III

[See rule 4 (2)]

Form of application for Grant/Renewal of Licence

1. (a) Applicant's name and address
(b) Nature of ownership.
2. (a) Name of the rice-mill, if any
(b) Place where rice-mill is situated.
3. Postal address of the rice-mill.
4. Particulars of Prime Mover.
(a) Engine (whether run on oil, steam etc. and make)
(b) Make of electric Motor if run on electricity.
(c) Brake Horse-Power.
5. Details of milling machinery:—
(a) Type, whether huller, sheller or combined sheller-huller type.
(b) Diameter of the sheller grinding stone.
(c) Number of sheller grinding stones (pairs).
(d) Make of the huller (giving the number and type).
(e) The number of hullers in each type.
6. Approximate milling capacity per diem (8 hours running).

I/We request that I/we may be granted a licence for carrying on rice-milling operations in my/our rice-mill under the provisions of section 6 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958) (hereinafter referred to as the Act).

I/We declare that I am/we are the owner(s) of the rice-mill covered by the application. I/We have carefully read the provisions of the Act, and the rules made thereunder and also the conditions of the licence and I/we agree to abide by them.

*I/We have obtained a permit under section 5 of the Act and I/we propose to commence rice-milling operation by (date).

I/We have been carrying on rice-milling operations since.....

*I/We hold licence No..... dated issued by under the provisions of

*I/We hereby apply for renewal of my/our licence No..... dated.....

I/We enclose a treasury receipt for Rs..... (Rupees.....)/Rs..... (Rupees.....) being the fee for issue of licence/renewal of the licence.

Place

Date

Signature of the applicant.(s)

N.B.* Strike out if not applicable.

FORM IV

[See rule 4(4)]

Licence No. 1. Subject to the provisions of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958) (hereinafter referred to as the Act) and the rules made thereunder and the terms and conditions of this licence..... of is /are hereby authorized to carry on rice-milling operation with the following machinery:—

- (1) Engine/Prime Mover make and Horse Power.
- (2) Diameter of the Sheller grinding stone.
- (3) Number of Sheller grinding stones (pairs).
- (4) Make of Huller (giving the number and type).
- (5) The number of Huller of each type.

2. The licensee shall carry on the aforesaid milling operation at the following place.....

3. Conditions of Licence:—

- (1) The licensee shall thoroughly acquaint himself with the provisions of the Rice-Milling Industry (Regulation) Act, 1958 and the rules made thereunder.
- (2) Where the same person carries on rice-milling operation in more than one place, a separate licence shall be obtained in respect of each such place and the returns prescribed in rule 9(2) of the Rules made under the Act shall be submitted separately for each such place to the licensing officer.
- (3) It shall be the responsibility of every licensee to take all necessary steps to submit the returns prescribed under the rules or as may be required by the licensing officer in time and make available all books, registers, vouchers and other documents before officers authorized to inspect the mill under section 9 of the Act.

4. This licence is valid up to ... and shall be attached to the application for renewal before the expiry of the period herein specified.

5. This licence shall be surrendered to the licensing officer when it has expired or is no longer required by the licensee.

6. This licence shall not be transferred to any other person by the person to whom it is issued and in case of change in the ownership of the mill, by transfer, lease or otherwise, a fresh licence shall be applied for by the person who has acquired such ownership.

Place

Date

Signature & date of Licensing officer.

FORM V

[See rule 9(2)]

Return of stocks, production, deliveries and balance of paddy/rice for the fortnight Ending

Name of Rice-mill and address.....

Licence number.....

PADDY

1. Stock at the beginning of the fortnight.....
2. Quantity of paddy received for milling
 - (a) from customers
 - (b) by purchase on mill's account
3. Total of 1 & 2.
4. Quantity of paddy milled during the fortnight.....
5. Quantity of paddy lying in the custody of the mill at the end of the fortnight.

RICE

1. Stock at the beginning of the fortnight.....
 - (a) due to be delivered to the customers.....
 - (b) on mill's account.....
2. Quantity of rice milled during the fortnight
3. Total of 1 & 2.....
4. Quantity of rice delivered
 - (a) by delivery to customers.....
 - (b) by sale on mill's account.....
5. Balance stock at the end of the fortnight
 - (a) Quantity due to be delivered to the customers.....
 - (b) Held in Mill's account.....
 - (c) Total of (a) & (b).....

BROKEN RICE

1. Stock at the beginning of the fortnight.....
 - (a) due to be delivered to the customers.....
 - (b) on mill's account.....
2. Quantity of broken rice added to stock during the fortnight.....
3. Total of 1 & 2.
4. Quantity of broken rice delivered
 - (a) by delivery to customers
 - (b) by sale on mill's account.....
5. Balance stock at the end of the fortnight
 - (a) Quantity due to be delivered to the customers
 - (b) held in Mill's account.....
 - (c) Total of (a) & (b)

BRAN

1. Stock at the beginning of the fortnight.....
2. Quantity produced.....
3. Total of 1 & 2.
4. Quantity sold or otherwise disposed of
5. Balance at the end of the fortnight.

[No. 209(2)/293/58-PY.II].

G.S.R. 511.—In exercise of the powers conferred by subsection (3) of section 1 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958), the Central Government hereby appoints the 22nd April, 1959, as the date on which the said Act shall come into force in the whole of India except the State of Jammu and Kashmir.

[No. 209(2)/292/58-PY.II].

ORDER

New Delhi, the 22nd April 1959

G.S.R. 512.—In exercise of the powers conferred by section 19 of the Rice-Milling Industry (Regulation) Act, 1958 (21 of 1958), the Central Government hereby directs that the powers exercisable by it under sections 4, 5, 8, 9, 10, 12, 15 and 18 of the said Act shall be exercisable also by the Government of a State or the Administrator of a Union Territory, as the case may be.

[No. 209(2)/291/58 PY.II].

B. P. BAGCHI, Jt. Secy.

